



IFU

Patent US 508C1
Attorney Docket: 612,406-035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MICULKA et al.

Serial No.: 10/644,592

Filed: August 19, 2003

For: PENTOPYRANOSYLNUCLEOSIDE, ITS
PREPARATION AND USE

Group Art Unit: 1623

Examiner: L.E. Crane

**PETITION UNDER 37 C.F.R. §1.55(C) FOR
ACCEPTANCE OF CLAIM OF FOREIGN PRIORITY**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions for acceptance of a claim of priority that is being presented in the above-referenced non-provisional application after the time period provided by paragraph 37 C.F.R. § 1.55. The entire delay between the date that the claim was due (December 19, 2003) and the date that the claim is being filed was unintentional.

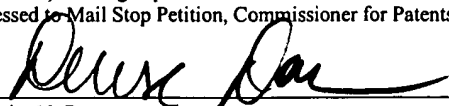
As seen in the preliminary amendment filed on August 27, 2004, the claim of priority is as follows:

-- This is a continuation of U.S. Application Serial No. 09/509,058, which was filed on July 27, 2000, now issued as U.S. Patent No. 6,608,186, which is a national stage application of

CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, Alexandria, VA 22313-1450.

February 22, 2006
Date of Deposit
NB1:676992.1


Denise N. Doss

International Application PCT/EP98/05997, filed September 21, 1998, which in turn claims priority to German Application Serial No. 197 41 715.9, filed September 22, 1997. --

Respectfully submitted,

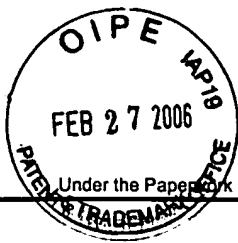
O'MELVENY & MYERS LLP

Dated: February 22, 2006

By: _____

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/644,592
Filing Date	August 19, 2003
First Named Inventor	Miculka
Art Unit	1623
Examiner Name	Crane
Attorney Docket Number	612,406-035

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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<input type="checkbox"/> Petition to Convert to a Provisional Application
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name O'Melveny & Myers LLP

Signature *Diane K. Wong*

Printed name Diane K. Wong

Date February 22, 2006

Reg. No. 54,550

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature *Denise N. Doss*

Typed or printed name Denise N. Doss

Date February 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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